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## Chapter 5 OUTCOME OF INITIAL EVALUATION

### 5.01 Introduction

Every initial evaluation has an outcome and steps to take based on the entitlement decision. This section contains the steps to take if the Veteran or Servicemember is found entitled to services and how to close the case if he/she is found not entitled to Chapter 31 services.

### 5.02 References and Resources

Laws: National Defense Authorization Act (NDAA), as Extended by Public Law (Pub. L.) 112-56, VOW to Hire Heroes Act

VA Forms (VAF): VAF 28-1902b, Counseling Record-Narrative Report  
VAF 4107, Your Rights to Appeal our Decision

### 5.03 Initial Evaluation Outcomes

#### a. Steps to Determine Initial Evaluation Outcome

If the Initial Evaluation Results in a Determination That:	Then:
The individual is entitled to services	Notify the claimant of the decision, and proceed to track selection and plan development. See M28R.IV.C.
The individual is not entitled to services	Provide written notification of the decision, clearly outlining the reasons and basis for the denial; provide a copy of the denial letter to the individual's service representative, if applicable; provide the individual with his/her appellate rights, VAF 4107, Your Rights to Appeal Our Decision (see Appendix O, VA Forms) and refer the individual to other potential sources of assistance. Close the case.
Current reasonable feasibility cannot be determined and the individual has a Serious Employment Handicap (SEH)	Proceed with the rehabilitation process to develop an Individualized Extended Evaluation Plan (IEEP). See M28R.IV.C.3.

Achievement of a vocational goal is not currently reasonably feasible, and the individual is a Veteran or a Servicemember with an SEH (see M28R.IV.B.2 for information on Entitlement to Services Under the NDAA, as Extended by Pub. L. 112-56, Vow to Hire Heroes Act)	Proceed to Independent Living (IL) assessment. See M28R.IV.C.9.
Achievement of a vocational goal is not currently reasonably feasible, and the individual is a Veteran or Servicemember with an Employment Handicap (EH)	Reassess the Veteran's or Servicemember's case to see if his/her situation warrants an SEH and if so, change the EH to SEH and proceed to IL assessment. If the Veteran's or Servicemember's situation does not warrant an SEH, the Vocational Rehabilitation Counselor (VRC) will send him/her an interrupt letter with an explanation of why his/her case will be closed, provide due process and close the case.
Achievement of a vocational goal is not currently reasonably feasible, and the individual is a Veteran rated at 10% with no SEH	Reassess the Veteran's or Servicemember's case to see if his/her situation warrants an SEH and if so, change the EH to SEH and proceed to IL assessment. If the Veteran's or Servicemember's situation does not warrant an SEH, the VRC will send him/her an interrupt letter with an explanation of why his/her case will be closed, provide due process and close the case.
Current reasonable feasibility cannot be determined and the individual is a Veteran and has an EH	Reassess the Veteran's or Servicemember's case to see if his/her situation warrants an SEH and if so, change the EH to SEH and proceed to IL assessment. If the Veteran or Servicemember's situation does not warrant an SEH, the VRC will send him/her an interrupt letter with an explanation of why his/her case will be closed, provide due process and close the case.

b. Potential Sources of Assistance Following Denial

When entitlement to VR&E services is denied, the VRC and Veteran or Servicemember should explore alternative resources, such as job placement assistance through the Disabled Veteran's Outreach Program (DVOP) or Local Veterans' Employment Representative (LVER) staff, educational assistance through other VA programs, educational assistance through grant and scholarship programs and rehabilitation or related assistance through State agencies.

c. Documenting the Entitlement Determination

The VRC documents the entitlement determination using VAF 28-1902b, Counseling Record – Narrative Report, (see Appendix O, VA Forms).

d. Election of Another VA Benefit

If eligible, an individual may choose to train under another Department of Veterans Administration (VA) program. The VRC will provide the individual with information to assist him/her in the decision making process